

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Allegations of misappropriation of Govt. funds in M.P., Maredumilli, East Godavari District against Sri N.Arun Kumar, formerly Assistant Executive Engineer(Mandal Engineering Officer & In-Charge Mandal Parishad Development Officer), Sri P. Augistin Varaprasad, formerly Senior Assistant, Mandal Parishad, Maredumilli and Sri P. Suresh Kumar, Jr. Asst Mandal Parishad, Maredumilli, East Godavarai District – Disciplinary proceedings initiated by framing charges, under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal), Rules, 1991 – Appointment of Sri Janak Raj, IPS (Retd.), Commissioner of Inquiries as Enquiry Officer – Appointment of Presenting Officer –Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No. 461

Dated:07-04-2010.

Read the following:

- 1). Govt.Memo.Nos.15811/Vig.II/A2/2008-1 to 3 Panchayat Raj and Rural Development (Vig.II) Department, all Dated.11.07.2008.
- 2). From Sri P. Augistin Varaprasad, formerly Senior Assistant, Mandal Parishad, Maredumilli, East Godavari District written statement of Defence Dt:06.08.2008.
- 3). From Sri P. Suresh Kumar, formerly Junior Assistant, Mandal Parishad, Maredumilli, East Godavarai District written statement of Defence Dt:12.08.2008.
- 4).From the Engineer-in-Chief, Panchayat Raj Letter No.Vig(2)/9214/97, Dt:10.03.2010.

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ORDER:

On the allegations of embezzlement of funds in I.T.D.A., M.P.P. Maredumilli, East Godavari District, after following due procedure, Government imposed **(a)** penalty of dismissal from service against Sri N. Arunkumar, MEO & I/c MPDO, besides recovery of Rs.2,70,500/-, vide G.O.Rt.No.442 Panchayat Raj and Rural Development (V.S.1) Department, dt.23.2.04; **(b)** penalty of dismissal from service against Sri P.A. Varaprasad, Sr. Assistant, besides recovery of Rs.1,80,333/-vide G.O.Rt.No.443, Panchayat Raj and Rural Development (V.S.1) Department, dt.23.2.04; **(c)** penalty of dismissal from service against Sri P. Sureshkumar, Jr. Assistant, besides recovery of Rs.90,167/-, vide G.O.Rt.No.444, Panchayat Raj and Rural Development (V.S.1) Department, dt.23.2.04.

2. Aggrieved by the above said dismissal and recovery orders, the Accused Officers, viz., Sri N. Arun Kumar, Sri P.A. Varaprasad and Sri P. Suresh Kumar filed O.A.Nos.3268/04, 3044/04 & 2963/04, respectively, and the Hon'ble A.P.A.T. in orders Dt:03.05.2007, **set aside the above said Dismissal orders**, on technical grounds, such as reasons were not assigned in the penalty orders, charges were vitiated etc., with liberty to proceed against the applicants in accordance with Rules.

(P.T.O)

3. After careful examination of the matter, orders were issued keeping the Accused Officers., viz., Sri N. Arun Kumar, Sri P.A. Varaprasad and Sri P. Suresh Kumar, as shall be deemed to have been placed under suspension, from the date of the original order of dismissal and that they shall continue to remain under suspension, until further orders, in terms of Rule 8 of A.P.C.S. (CCA) Rules, 1991, vide G.O.Rt.Nos.794,795 and 796, Panchayat Raj and Rural Development (Vig.II) Department, dt.31.5.2008; and, Charges were framed against the Accused Officers, vide reference 1st read above.

4. Out of the (3) charged Officers, two (2) Charged Officers, viz., (i) Sri P.A. Varaprasad, Sr. Assistant and (ii) Sri P. Suresh Kumar, Junior Assistant submitted their written statements of defence, vide reference 2nd and 3rd read above, respectively. In respect of the remaining Charged Officer, Sri N. Arun Kumar, Assistant Executive Engineer, the Engineer-in-Chief, Panchayat Raj in his letter 4th read above furnished the dated acknowledgment of the served copy of the Charge Memo, which was served to him on 30.11.2009. The Charged Officer, viz., Sri N. Arun Kumar, Assistant Executive Engineer has not submitted his written statement of defence till date; and, it was construed that the Charged Officer has nothing to defend against the charges framed against him and Government decided to take further action exparte, based on the material available.

5. After examining the written statement of defence of the above two (2) charged officers, the Government hereby appoint Sri Janak Raj, IPS (Retd.), Commissioner of Inquiries, General Administration Department, as Enquiry Officer, under Rule 20(2) of Andhra Pradesh Civil Service (C.C. & A) Rules, 1991, to conduct departmental enquiry against Sri N.Arun Kumar, formerly Assistant Executive Engineer(Mandal Engineering Officer & In-Charge Mandal Parishad Development Officer), Sri P. Augustin Varaprasad, formerly Senior Assistant, Mandal Parishad, Maredumilli and Sri P. Suresh Kumar, formerly Junior Assistant, Mandal Parishad, Maredumilli, East Godavari District, on the allegations of embezzlement of funds in I.T.D.A., M.P.P. Maredumilli, East Godavari District.

6. The Government also hereby appoint the Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District, as Presenting Officer, under Rule.20(5) (c) of APCS (CC&A) Rules, 1991, to present the case before the Enquiry Officer, appointed in Para (5) above, on behalf of the Government.

7. The Presenting Officer shall acquaint himself with the facts of the case and present the case, before the Enquiry Officer, effectively. He is also requested to obtain and produce all necessary documents required by the Enquiry Officer, during the course of enquiry.

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8. The Enquiry Officer is requested to conduct enquiry strictly in terms of rule.20 of APCS (CC&A) Rules, 1991 and after duly complying with the orders of the APAT Dt:03.05.2007 in O.A.Nos.3268/04, 3044/04 & 2963/04 filed by the (3) Charged Officers, respectively; and, submit his report, as required under sub-rule 18 (ii) of the above said rule. Copies of charge Memos. issued to the Charged Officers and their written statements of defence and other relevant material is herewith furnished to the Enquiry Officer, as required, under rule.20(7) of APCS(CC&A) Rules, 1991.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C.SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Jank Raj, IPS (Retd.), Commissioner of Inquiries, General Administration Department (we).

The individuals through Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District.

Copy to:

The Registrar, Commissioner of Inquiries, General Administration Department.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Secretary, A.P. Vigilance Commission, Hyderabad.

SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER